

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA**

IN RE:	Chapter 11
BDC Group Inc.,	Bankruptcy No. 23-00484
Debtor-in-Possession.	REPORT ON POTENTIAL AVOIDANCE ACTIONS

COMES NOW the Debtor-in-Possession, BDC Group Inc., through its undersigned counsel, and hereby respectfully submits to this Court its Report on Potential Avoidance Actions as this Court required in its order at Doc. 8:

1. The Debtor-in-Possession filed its Chapter 11 bankruptcy on June 13, 2023. On July 7, 2023 the Debtor filed its latest Statement of Financial Affairs (Doc. 118), including its list of payments to creditors within 90 days.
2. To date the Debtor has not brought or compromised any potential avoidance claims. The Debtor's current plan is to file and confirm a reorganization plan that waives avoidance actions against critical vendors (see Docs. 15, 38, and 56) and assigns the remaining avoidance actions to a liquidating trust for the benefit of unsecured claims.
3. Exhibit 1 is Debtor's list of potential avoidance claims and defendants. It includes notes about certain claims. Because debts paid by credit card do not diminish the estate¹ Exhibit 1 excludes those payments.
4. Exhibit 2 shows avoidance actions where Debtor's analysis indicates either an element is absent or a defense is available. It also shows the amount of the potential claim the missing element or the defense defeats.
5. Based on these analyses the Debtor believes approximately \$2,070,899.22 in avoidance actions are available to the estate, pending further investigation of defenses.

1. "The fundamental inquiry is whether the transfer diminished or depleted the debtor's estate." *Sarachek v. Chitrik (In re Agriprocessors, Inc.)*, Bankruptcy No. 08-02751, Adversary No. 10-09058, 2011 WL 3033710 at *3 (Bankr. N.D. Iowa July 22, 2011) (quoting 5 Lawrence P. King et al., Collier on Bankruptcy ¶ 547.03 [2], at 547-20 (16th ed.2010)).

Dated this 12th day of September, 2023.

Respectfully submitted,

AG & BUSINESS LEGAL STRATEGIES

/s/Austin Peiffer

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 12th day of September, 2023, a copy of the foregoing document was filed with the Clerk of Court for the United States Bankruptcy Court for the Northern District of Iowa using the CM/ECF system, and served electronically on those participants that receive service through the CM/ECF system.

Signed: /s/ Alex C. Tvedte